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Issued June 17, 1942

U. S. Department of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT AGENCY

DIVISION OF SPECIAL PROGRAMS

1942 AGRICULTURAL CONSERVATION PROGRAM BULLETIN  
INSULAR REGION

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Payments and grants of aid will be made for participation in the 1942 Agricultural Conservation Program in Alaska, Hawaii, and Puerto Rico (hereinafter referred to as the 1942 program) in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made.

Section 1.—SOIL-BUILDING PRACTICES

(a) **Allowance in connection with soil-building practices.**—The soil-building allowance for a farm is the maximum amount of payment which will be made for carrying out on the farm the soil-building practices specified in subsections (c), (d), and (e) of this section.

(1) This allowance for any farm will be the sum of the following: *Provided*, That if the total allowance calculated under this paragraph is less than \$15.00

for any farm, the allowance for that farm shall be increased to \$15.00 if the increase is earned through the performance of forestation practices; and *provided further*, that in no case shall the allowance for any farm be less than \$5.00.

(i) \$4.00 per acre, not in excess of 10 acres; and \$1.00 per acre, in excess of 10 acres, of cropland in the farm in excess of the sum of the largest acreage devoted to sugarcane at any one time in 1942 and the rice or tobacco acreage allotment established for the farm; and

(ii) 40 cents per acre, not in excess of 1,000 acres, and 10 cents per acre, in excess of 1,000 acres, of pasture land included in the farm but not included in the cropland, or, in Hawaii, of range land (for which the Territory tax-assessment valuation is 50 cents or more per acre) included in farm but not included in the cropland.

**(b) Payment in connection with soil-building practices.**—Payment will be made, within the limit of the soil-building allowance established for the farm in accordance with subsection (a) of this section, for carrying out in the calendar year 1942 any of the soil-building practices listed in subsections (c), (d), and (e), at the rates specified, provided the practice is carried out by methods and with kinds of seeds, trees, and other materials that conform to good farming practice and in accordance with the specifications listed herein and any additional specifications that may be issued by the regional director to assure that the soil-building practices will be performed in workmanlike manner and in accordance with good farming practices for the locality.

No payment will be made with respect to practices carried out with labor and materials (other than trees) furnished entirely by any Federal or Territorial agency or any agency of Puerto Rico. If a portion of the labor, seed, or other materials (except trees) used in carrying out any practice is furnished by a Federal or Territorial agency or any agency of Puerto Rico and this portion represents one-half or more of the total cost of carrying out the practice, no payment will be made with respect to it; if this portion represents less than one-half of the total cost of carrying out the practice, payment will be made with respect to one-half of it; *Provided*, That labor, seed, trees, and materials furnished to the Territories of Alaska or Hawaii or to Puerto Rico, or a political subdivision or agency thereof, by any agency of either Territory or of Puerto Rico, respectively, or furnished under the Agricultural Demonstration Project of the Works Projects Administration, or furnished for use in carrying out soil-building practice No. 1 for Puerto Rico, shall not be deemed to have been furnished by a "Federal or Territorial agency or any agency of Puerto Rico" within the meaning of this paragraph.

**(c) Schedule of soil-building practices for Alaska.**—

(1) Interplanting protective nondepleting cover crops with other crops.—\$2.00 per acre.

(2) Planting protective nondepleting cover crops in rotation with other crops.—\$3.00 per acre.

(3) Using protective nondepleting cover crops for green manuring.—\$4.00 per acre.

(4) Planting perennial varieties of protective nondepleting cover crops on properly prepared land for permanent pasture or for cutting green for livestock feed.—\$4.00 per acre.

(5) Strip-cropping land of 2 percent or more slope along lines deviating not more than 2 percent from contour lines with protective nondepleting cover crops or perennial varieties of crops which will prevent soil washing.—\$1.00 per acre.



(6) Seeding pasture land with good seed of adapted varieties of perennial grasses or legumes which do not require preparation of a seed bed.—\$0.20 per pound of seed sown.

(7) Applying crop residue on the surface of soil subject to serious wind erosion to promote the establishment of a permanent vegetative cover.—\$0.10 per cubic yard.

(8) Planting and cultivating land of 2 percent or more slope along lines deviating not more than 2 percent from contour lines. (a) When the land is planted to truck crops.—\$2.00 per acre. (b) When the land is planted to other crops.—\$0.50 per acre.

(9) Listing land along lines deviating not more than 2 percent from contour lines for fallowing or for planting protective nondepleting cover crops.—\$0.50 per acre.

(10) Constructing permanent ditching on land of 6 percent or more average slope, with suitable outlets, for the diversion of surface water to prevent soil washing. No credit will be given for ditches of more than 4 percent slope nor for any temporary field ditching. (a) When constructed on land where the topography, stoniness, or size of fields requires that the ditching be constructed entirely by hand labor.—\$0.80 per 100 linear feet. (b) When constructed on other land.—\$0.40 per 100 linear feet.

(11) Constructing a sufficient amount of continuous terrace to give adequate protection against erosion. No credit will be given for more than 500 feet of terrace per acre.—\$1.00 per 100 linear feet of terrace.

(12) Constructing and maintaining check dams in gullies.—\$0.10 per linear foot.

(13) Establishing a good stand of erosion-resistant perennial grasses in gullies.—\$0.02½ per 100 square feet.

(14) Applying ground limestone or its equivalent. No credit will be given for the application of more than 2 tons per acre.—\$6.00 per ton.

(15) Applying 48 percent superphosphate or 50 percent muriate of potash, or both, or their equivalent, to, or in connection with the seeding of, protective nondepleting cover crops. No credit will be given for the application of more than 200 pounds per acre.—\$2.25 per 100 pounds.

(16) Planting land entirely to forest trees or windbreak trees.—\$5.00 per acre.

(17) Planting forest trees on the sides or crests of gulches or on erosion scars.—\$0.02 per tree.

#### (d) Schedule of soil-building practices for Hawaii.—

(1) Interplanting protective nondepleting cover crops with other crops.—\$2.00 per acre.

(2) Planting protective nondepleting cover crops in rotation with other crops.—\$3.00 per acre.

(3) Using protective nondepleting cover crops for green manuring.—\$4.00 per acre.

(4) Planting perennial varieties of protective nondepleting cover crops on properly prepared land for permanent pasture or for cutting green for livestock feed.—\$4.00 per acre.

(5) Seeding depleted range land with good seed of adapted varieties of perennial grasses or legumes which do not require preparation of a seed bed. (a) For Koa haole (*Lucaena glauca*) seed.—\$0.10 per pound. (b) For other varieties of seed.—\$0.20 per pound.

(6) Planting slips or stools of adapted varieties of perennial grasses on depleted range land.—\$2.00 per acre.

(7) Applying crop residue on the surface of soil subject to serious wind erosion to promote the establishment of a permanent vegetative cover.—\$0.10 per cubic yard.

(8) Furrowing range land along lines deviating not more than 3 percent from contour lines, with furrows not less than 8 inches in width and 4 inches in depth.—\$0.05 per 100 linear feet. No credit will be given for more than 4,000 linear feet per acre.

(9) Clearing range land heavily infested with range-destroying plants.—\$5.00 per acre.

(10) Clearing range land lightly infested with range-destroying plants.—\$2.00 per acre.

(11) Mowing or employing other approved means to prevent the reinfestation of cleared range land. No credit will be given for mowing if the plants mowed



are used for hay or sold for any purpose.—\$0.25 per acre for each operation within limits set by the State office.

(12) Removing all livestock from range land which was pastured in 1941 (including range land which was withheld from use in 1941 for the purpose of eradicating range-destroying plants) for a continuous period of more than four months, the months for which payment is made to be within the calendar year 1942. Credit will be given for not more than eight months and only under the following conditions: (1) This practice shall not be applicable to more than 25 percent of the range land included in the farm; (2) On lands on which cattle or horses are grazed, the area to be kept free of grazing is fenced and the fence is maintained sufficiently to prevent the entry of livestock; (3) On lands used exclusively for grazing sheep, either the area to be kept free of grazing is fenced and the fence maintained sufficiently to prevent the entry of livestock or the entry of livestock is prevented by herding; (4) The remaining range land in the farm is not pastured to such extent as will decrease the stand of grass or injure the forage, tree growth, or watershed; (5) This practice shall not be applicable to land which normally is used for other purposes during the period in which livestock are excluded.—\$0.10 per acre for each month, in excess of four, during which livestock are removed.

#### DEVELOPING STOCK WATER ON RANGE LAND

Payment will be made with respect to the following water-development practices numbered (13), (14), (15), and (16): *Provided* (1) Carrying out the practice results in supplying ample water, at points remote from the ranch headquarters, for the number of livestock using the adjoining range during the grazing season; (2) The purpose of the development is solely to bring about a distribution of stock on the range that will conserve and restore the vegetative cover thereof; (3) No part of the water impounded or supplied is used for irrigating purposes.

(13) Drilling or digging wells, provided a windmill or power pump is installed and the water is conveyed to a tank or storage reservoir. The drilling of an artesian well will qualify for payment provided adequate stock water is made available during the grazing season and the water is conveyed to a tank or trough. (a) When well casing is four inches or more in diameter:—\$2.00 per linear foot of well depth. (b) When well casing is less than four inches:—\$1.00 per linear foot of well depth.

(14) Developing springs or seeps, provided the source is protected from trampling and the water is conveyed to a tank or storage reservoir. (a) When material excavated is soil or gravel:—\$0.30 per cubic foot. (b) When material excavated is rock:—\$0.50 per cubic foot. The maximum payment for any single development shall be \$100.00.

(15) Constructing permanent watersheds of galvanized iron or other approved material for accumulating rainwater for range livestock, provided other methods of furnishing or accumulating water are not available and the water is conveyed to a tank or storage reservoir.—\$0.02½ per square foot of shed constructed.

(16) Constructing water storage tanks of redwood, steel, or other approved material on adequate foundations or constructing reservoirs lined with concrete or stone set in mortar.—\$0.50 per 100 gallons of capacity.

(17) Planting and cultivating land of 2 percent or more slope along lines deviating not more than 2 percent from contour lines. No credit will be given either on land under irrigation unless it is planted to truck crops or on land of more than 6 percent slope unless adequate ditching or terracing protection is provided in accord with specifications covering practices (18), (19), or (23).

(a) When the land is planted to truck crops:—\$2.00 per acre. (b) When the land is planted to other crops:—\$0.50 per acre.

(18) Protecting fallowed land with furrows averaging not more than 10 feet apart and not less than 8 inches in width and 4 inches in depth, deviating not more than 2 percent from contour lines, or, in areas subject to wind erosion, at approximately right angles to the direction of the prevailing winds. No credit will be given on land of 6 percent or more average slope unless it is protected from erosion by adequate ditching or terracing.—\$1.00 per acre.



(19) Constructing permanent ditching on land of 3 percent or more average slope, with suitable outlets, for the removal of surface runoff water to prevent soil washing. No credit will be given for ditches of more than 4 percent slope, unless protected by adequate vegetative cover. (a) When constructed on land where the topography, stoniness, or size of fields requires that the ditching be constructed entirely by hand labor:—\$0.25 per cubic yard of water-carrying capacity. (b) When constructed on other land:—\$0.40 per 100 linear feet of ditching.

(20) Constructing temporary ditching on fields of six percent or less average slope, with suitable outlets, for the diversion of surface water to prevent soil washing. No credit will be given for ditches of more than four percent slope. (a) When constructed on land where the topography, stoniness, or size of fields requires that the ditching be constructed entirely by hand labor:—\$0.04 per cubic yard of water-carrying capacity. (b) When constructed on other land:—\$0.05 per 100 linear feet of ditching.

(21) Lining ditches, carrying water on a grade of two percent or more. Credit will be given for irrigation ditches used only for irrigation of truck or forage crops; ditches constructed in accordance with the specifications of practice (19); and ditches for the discharge of water from systems of contour cultivation, ditching, or terracing. (a) When the ditch surface is lined with concrete or stone set in mortar:—\$0.06 per square foot of ditch surface lined. (b) When the ditch surface is lined with plaster; or concrete, iron, or composition pipe is used:—\$0.03 per square foot of ditch surface lined or of the inside surface of pipe used, respectively.

(22) Establishing a protective sod lining in ditches used for removing excess water from systems of contour cultivation, ditching, or terracing:—\$0.25 per 100 square feet of ditch surface.

(23) Constructing a sufficient amount of continuous terrace to give adequate protection against erosion. No credit will be given for more than 500 feet of terrace per acre:—\$1.00 per one hundred linear feet of terrace.

(24) Constructing and maintaining check dams in gullies:—\$0.10 per linear foot.

(25) Establishing a good stand of erosion-resistant perennial grasses in gullies:—\$0.02½ per 100 square feet.

(26) Applying ground limestone or its equivalent. No credit will be given for the application of more than 2 tons per acre.—\$6.00 per ton.

(27) Applying 48 percent superphosphate or 50 percent muriate of potash, or both, or their equivalent, to, or in connection with the seeding of, protective nondepleting cover crops. No credit will be given for the application of more than 200 pounds per acre.—\$2.25 per 100 pounds.

(28) Planting land entirely to forest trees or windbreak trees.—\$5.00 per acre.

(29) Planting forest trees on the sides or crests of gulches or on erosion scars, or, if planted in sufficient numbers to insure a complete forest stand at maturity, in areas having a partial, but inadequate stand of trees.—\$0.02 per tree.

(30) Planting shade trees in established coffee groves by planting seedling trees or cuttings.—\$0.10 per tree.

(31) Constructing and maintaining during 1942 individual terraces or catch pits among coffee trees.—\$0.04 per terrace or catch pit.

(32) Constructing and maintaining during 1942 individual terraces among fruit or nut trees.—\$0.08 per terrace.

(33) Applying coffee pulp around coffee trees. No credit will be given for the application of more than 5 tons per acre.—\$1.00 per ton (unfermented weight).

(34) Growing a home garden of at least 1/10 of an acre. No credit will be given for more than one garden per farm family nor for gardens on farms having more than 500 acres of cropland.—\$1.50 per garden.

**(e) Schedule of soil-building practices for Puerto Rico.**—(Minimum performance under practice No. 1 is a prerequisite to any payment under the 1942 ACP for Puerto Rico.)

(1) Planting food crops for human consumption on at least 20 percent of the cropland on the farm (excluding sugarcane and orchards) with a minimum requirement of ¼ acre and a maximum requirement of 25 acres devoted to this practice in 1942 on or after August 1, *provided that*: (a) the food crops

planted are of the type specified by the Regional Director and are planted in the proportions specified by him, (b) the plants or vines are not removed from the land on which grown, (c) practice No. 2 is carried out on land of 6 percent or more average slope planted to intertilled crops, and (d) practice No. 3 is carried out on land of more than 10 percent average slope.—\$4.00 per acre for the first 5 acres and \$3.00 per acre for the next 20 acres (within 20 percent of the cropland), with a minimum of \$4.00 and a maximum of \$80.00.

(2) Planting and cultivating land of more than 2 percent average slope along lines deviating not more than 2 percent from contour lines. No credit will be given unless the land is planted to intertilled crops.—\$1.00 per acre.

(3) Constructing temporary ditching on fields of 10 percent or more average slope, with suitable outlets, for the diversion of surface water to prevent soil washing.—\$1.00 per acre.

(4) Maintaining, protecting, cultivating, and improving, by replanting if necessary, seedling trees on land planted to forest trees under prior agricultural conservation programs.—\$1.00 per acre.

(5) Maintaining, protecting, cultivating, and improving a stand of forest trees, provided prior approval is given by the San Juan office of the Agricultural Adjustment Agency.—\$1.00 per acre.

(6) Constructing, and maintaining throughout 1942, individual terraces or catch pits in coffee groves.—\$0.50 per 100 terraces or catch pits.

## Section 2.—RICE

(a) **State allotment.**—The State allotment of rice for Hawaii is 900 acres.

(b) **Farm allotments.**—The State office shall establish rice acreage allotments in accordance with the provisions of this subsection and instructions issued by the Agricultural Adjustment Agency.

(1) A rice acreage allotment shall be determined for each producer who is participating in the production of rice in 1942 and who participated in the production of rice in one or more of the five years 1937 to 1941, inclusive, on the basis of his past production of rice adjusted to the available acreage adapted to the production of rice, taking into consideration crop-rotation practices, soil fertility and other physical factors affecting the production of rice, including the labor and equipment available to him for the production of rice.

(2) An acreage not to exceed 3 percent of the State rice acreage allotment shall be apportioned among producers who are participating in the production of rice in 1942 for the first time since 1936 on the basis of the applicable standards of apportionment set forth under subdivision (1) of this subsection (b): *Except* that the rice acreage allotment to any producer who is participating in the production of rice in 1942 for the first time since 1936 shall not exceed 75 percent of the rice acreage allotment that would have been made to him had he participated in the production of rice in one or more of the five years 1937 to 1941, inclusive.

(3) The farm rice acreage allotment will be the sum of the allotments established for all producers participating in the production of rice on the farm. The sum of the farm allotments shall not exceed the State allotment.

(c) **Normal yield.**—The State office shall determine for each farm participating in the 1942 program in the State a normal yield for rice in accordance with the provisions of this subsection and instructions issued by the Agricultural Adjustment Agency.

(1) Where reliable records of the actual yield of rice per acre for the five years 1937 to 1941, inclusive, are presented by the farmer or are available to the State office, the normal yield of rice for the farm shall be the average of these yields.

(2) If for any year of this five-year period records of the actual yield are not available or there was no actual yield because rice was not planted on the farm in that year, the State office shall ascertain from all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the yield which was or could reasonably have been expected on the farm for that year, and the yield so determined shall be used as the actual yield for that year under subdivision

(1) of this subsection (c).



(3) If the average of the normal yields for all farms participating in the 1942 program in the State (weighted by the rice acreage allotments therein) exceeds the average yield per acre for the State during the five years 1937 to 1941, inclusive, established by the Secretary, the normal yields for these farms, determined under subdivisions (1) and (2) of this subsection (c), shall be reduced pro rata so that the average of the normal yields shall not exceed the State average yield.

(d) **Payment in connection with rice acreage allotment.**—Payment will be made at the rate of 2.4 cents per 100 pounds (rough rice) of the normal yield of the farm for each acre in the rice acreage allotment.

(e) **Deduction in connection with rice acreage allotment.**—The payment computed for any farm under sections 1 and 2 shall be subject to a deduction of ten times the payment rate for each acre by which the acreage of rice planted is less than its rice allotment, but not to exceed the maximum rice payment computed for the producers on that farm.

### Section 3.—TOBACCO

(a) **State allotment.**—The State allotment of tobacco for Puerto Rico will be established by the Secretary.

(b) **Farm allotments.**—The State office shall establish tobacco acreage allotments in accordance with the provisions of this subsection and instructions issued by the Agricultural Adjustment Agency.

(1) A tobacco acreage allotment for the 1942-43 crop shall be determined for each farm for which a tobacco acreage allotment was, or could have been, established under the 1941 Agricultural Conservation Program on the basis of the tobacco acreage allotment which was, or could have been, established for the farm under the 1941 Agricultural Conservation Program, the land, labor, and equipment available for the production of tobacco, crop-rotation practices, and the soil and other physical factors affecting the production of tobacco: *Provided*, That no farm shall be considered under the provisions of this paragraph (1) unless tobacco has been grown thereon during either the 1940-41 tobacco season or the 1941-42 tobacco season.

(2) The tobacco acreage allotment for any farm on which tobacco is produced in the 1942-43 tobacco season for which no allotment can be established under paragraph (1) of this section shall be determined on the basis of the land, labor, and equipment available for the production of tobacco, crop-rotation practices, and the soil and other physical factors affecting the production of tobacco.

(3) The sum of the farm acreage allotments shall not exceed the State allotment.

(c) **Normal yield.**—The State office shall determine for each farm for which an acreage allotment is established under subsection (b) of this section a normal yield for tobacco in accordance with instructions issued by the Agricultural Adjustment Agency.

(1) If the average of the normal yields established for all farms (weighted by the tobacco acreage allotments therein) exceeds the adjusted average yield (farm weight) per acre for the State during the five crop years 1937-38 to 1941-42, inclusive, the normal yields for these farms shall be reduced pro rata so that the average of the normal yields shall not exceed this figure. The adjusted average yield will be established by the Secretary prior to the 1942-43 tobacco season.

(d) **Payment in connection with tobacco acreage allotment.**—Payment will be made on the basis of the normal yield (farm weight) of the farm for each acre in the tobacco acreage allotment. (Minimum performance under practice No. 1 of the soil-building practices for Puerto Rico is a prerequisite to any payment under the tobacco provisions of the 1942 ACP for Puerto Rico.) The rate of payment

will be established by the Secretary prior to the beginning of the 1942-43 tobacco season.

(e) **Deduction for excess tobacco acreage.**—The payment computed for any farm under sections 1 and 3 shall be subject to a deduction based on the normal yield (farm weight) of the farm for each acre planted to tobacco in excess of the tobacco acreage allotment established for the farm. The rate of deduction will be established by the Secretary prior to the beginning of the 1942-43 tobacco season.

#### Section 4.—DIVISION OF PAYMENTS AND DEDUCTIONS

(a) **Payments in connection with soil-building practices.**—The amount of payment earned in connection with soil-building practices carried out on the farm shall be made to the landlord, tenant, or sharecropper who carried out the soil-building practices thereon. If more than one such person contributes to the carrying-out of soil-building practices on the farm in 1942, the payment shall be divided in proportion to the contribution made by each person contributing to the practices carried out on the farm in 1942. All persons contributing to any practice carried out on a particular acreage shall be deemed to have contributed equally to the carrying-out of that practice unless they establish to the satisfaction of the State office that their respective contributions thereto were not in equal proportion, in which event the participation shall be determined by the proportion which the State office finds each person contributed thereto. Contribution of land shall not be considered as contributing to the carrying-out of a practice.

(b) **Payments and deductions in connection with rice and tobacco acreage allotments.**—The net payment or net deduction computed for any farm with respect to the rice or tobacco acreage allotment shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms of either acreages or percentages) that these persons are entitled at the time of harvest to share in the proceeds (other than a fixed commodity payment) of the rice crop grown on the farm in 1942 or the tobacco crop grown on the farm in the 1942-43 tobacco season; *Provided*, That, if rice is not grown on the farm in 1942 or tobacco is not grown on the farm in the 1942-43 tobacco season, the net payment or net deduction shall be divided among the landlords, tenants, and sharecroppers in the proportion that the State office determines that these persons would have shared in the proceeds of the rice or tobacco crop if the entire acreage in the rice or tobacco acreage allotment had been planted and harvested, for rice, in 1942, or, for tobacco, in the 1942-43 tobacco season; *Provided further*, That, if because of crop failure the harvested acreage of tobacco is less than the planted acreage of the crop and the State office finds, in accordance with instructions issued by the Agricultural Adjustment Agency, that use of the harvested acreage as a basis for the division of the net payment or net deduction would result in a materially different division from that which would result from the use of the planted acreage, the net payment or net deduction shall be divided among the landlords, tenants, and sharecroppers in the proportion that the State office determines that these persons would



have shared in the proceeds of the tobacco crop if the entire acreage planted to the crop in the 1942-43 tobacco season had been harvested.

(c) **Proration of net deductions.**—If the sum of the net payments computed for all persons on a farm exceeds the sum of the net deductions computed for all persons on the farm, the sum of the net deductions computed for all persons on the farm shall be prorated among the persons on the farm for whom a net payment is computed, on the basis of the computed net payments. If the sum of the net deductions computed for all persons on a farm equals or exceeds the sum of the net payments computed for all persons on the farm, no payment will be made with respect to this farm and the amount of the net deductions in excess of the net payments shall be prorated among the persons on the farm for whom a net deduction is computed, on the basis of the computed net deductions.

### Section 5.—INCREASE IN SMALL PAYMENTS

The total payment computed under sections 1 to 3, inclusive, for and persons with respect to any farm shall be increased as follows:

- (1) Any payment amounting to 71 cents or less shall be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by forty percent;
- (3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0. 40	\$32.00 to \$32.99	\$10. 40
\$2.00 to \$2.99	. 80	\$33.00 to \$33.99	10. 60
\$3.00 to \$3.99	1. 20	\$34.00 to \$34.99	10. 80
\$4.00 to \$4.99	1. 60	\$35.00 to \$35.99	11. 00
\$5.00 to \$5.99	2. 00	\$36.00 to \$36.99	11. 20
\$6.00 to \$6.99	2. 40	\$37.00 to \$37.99	11. 40
\$7.00 to \$7.99	2. 80	\$38.00 to \$38.99	11. 60
\$8.00 to \$8.99	3. 20	\$39.00 to \$39.99	11. 80
\$9.00 to \$9.99	3. 60	\$40.00 to \$40.99	12. 00
\$10.00 to \$10.99	4. 00	\$41.00 to \$41.99	12. 10
\$11.00 to \$11.99	4. 40	\$42.00 to \$42.99	12. 20
\$12.00 to \$12.99	4. 80	\$43.00 to \$43.99	12. 30
\$13.00 to \$13.99	5. 20	\$44.00 to \$44.99	12. 40
\$14.00 to \$14.99	5. 60	\$45.00 to \$45.99	12. 50
\$15.00 to \$15.99	6. 00	\$46.00 to \$46.99	12. 60
\$16.00 to \$16.99	6. 40	\$47.00 to \$47.99	12. 70
\$17.00 to \$17.99	6. 80	\$48.00 to \$48.99	12. 80
\$18.00 to \$18.99	7. 20	\$49.00 to \$49.99	12. 90
\$19.00 to \$19.99	7. 60	\$50.00 to \$50.99	13. 00
\$20.00 to \$20.99	8. 00	\$51.00 to \$51.99	13. 10
\$21.00 to \$21.99	8. 20	\$52.00 to \$52.99	13. 20
\$22.00 to \$22.99	8. 40	\$53.00 to \$53.99	13. 30
\$23.00 to \$23.99	8. 60	\$54.00 to \$54.99	13. 40
\$24.00 to \$24.99	8. 80	\$55.00 to \$55.99	13. 50
\$25.00 to \$25.99	9. 00	\$56.00 to \$56.99	13. 60
\$26.00 to \$26.99	9. 20	\$57.00 to \$57.99	13. 70
\$27.00 to \$27.99	9. 40	\$58.00 to \$58.99	13. 80
\$28.00 to \$28.99	9. 60	\$59.00 to \$59.99	13. 90
\$29.00 to \$29.99	9. 80	\$60.00 to \$185.99	14. 00
\$30.00 to \$30.99	10. 00	\$186.00 to \$199.99	( <sup>1</sup> )
\$31.00 to \$31.99	10. 20	\$200.00 and over	( <sup>2</sup> )

<sup>1</sup> Increase to \$200.00.

<sup>2</sup> No increase.

**Section 6.—PAYMENTS LIMITED TO \$10,000**

The total of all payments made in connection with programs for 1942 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms, ranching units, and turpentine places located within a single State, Territory, or possession, shall not exceed the sum of \$10,000. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000.

All or any part of any payment which has been or otherwise would be made to any person under the 1942 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, or formation of any corporation, partnership, estate, trust, or any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

**Section 7.—DEDUCTIONS INCURRED ON OTHER FARMS**

If the deductions computed under sections 2 and 3 with respect to any farm exceed the payment computed under sections 1, 2, and 3 for full performance on the farm, a landlord's or tenant's share of the amount by which the deduction exceeds the payment shall be deducted from the payments which would otherwise be made to him with respect to any other farms in Hawaii or Puerto Rico (considering only farms located in the same one of these areas) if the State office concerned finds that the crops grown and practices adopted on the farm or farms with respect to which the deductions are computed substantially offset the contribution to the program made on the other farms.

**Section 8.—GENERAL PROVISIONS RELATING TO PAYMENTS**

(a) **Payment restricted to effectuation of purposes of the program.**—All or any part of any payment which is made or otherwise would be made to any person under the 1942 program may be withheld or required to be returned (1) if he adopts or had adopted any practice which tends to defeat any of the purposes of the 1942 or previous agricultural conservation programs, (2) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which the payment is otherwise authorized, or (3) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which the Regional Director finds is contrary to sound conservation practices.

Payments other than payments in connection with soil-building practices will be made only with respect to farms which are being operated in 1942.

(b) **Payment computed and made without regard to claims.**—Any payment or share of payment shall be computed and made without regard to questions of title under Territorial law, or the laws of



Puerto Rico, without deduction of claims for advances (except as provided in subsection (d) of this section 8 and for indebtedness to the United States subject to setoff under orders issued by the Secretary) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

**(c) Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.**—If on any farm in 1942 any change of the arrangements which existed on the farm in 1941 is made between the landlord or operator and the tenants or sharecroppers and this change would cause a greater proportion of the payments to be made to the landlord or operator under the 1942 program than would have been made to him for performance on the farm under the 1941 program, payments to the landlord or operator under the 1942 program with respect to the farm shall not be greater than the amount that would have been paid to him if the arrangements which existed on the farm in 1941 had been continued in 1942, unless the State office certifies that the change is justified and approves it.

If on any farm the number of sharecroppers or share tenants in 1942 is less than the average number on the farm during the years 1939 to 1941, inclusive, and the reduction would increase the payments that would otherwise be made to the landlord or operator, payments to the landlord or operator shall not be greater than the amount that would otherwise be made, unless the State office certifies that the reduction is justified and approves it.

If the State office finds that any person who files an application for payment pursuant to the provisions of the 1942 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which the latter would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to him in connection with the 1942 program.

**(d) Assignments.**—Any person who may be entitled to any payment in connection with the 1942 program may assign his interest in the payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1942. No assignment of this kind will be recognized unless it is made in writing on Form ACP-69 in accordance with the instructions (ACP-70-Insular) issued by the Agricultural Adjustment Agency and unless such assignment is entitled to priority as determined under the instructions governing the recording of such assignments issued by the Agricultural Adjustment Agency.

Nothing contained in this paragraph (d) shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of an assignment.

**(e) Deductions in case of erroneous notice of acreage allotment.**—Notwithstanding the deduction provisions of sections 3 and

4, in any case where, through error in a State office, the producer was officially notified of an allotment for a commodity larger than the finally approved allotment for that commodity and the State office involved finds that the producer, acting upon information contained in the erroneous notice, planted an acreage to the commodity in excess of the finally approved allotment, the producer will not be considered to have exceeded the allotment for such commodity unless he planted an acreage to the commodity in excess of the acreage stated in the notice erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of that stated in the notice erroneously issued.

#### Section 9.—APPLICATION FOR PAYMENT

(a) **Persons eligible to file applications.**—An application for payment with respect to a farm may be made by any person for whom, under the provisions of section 4, a share in the payment with respect to the farm may be computed and (1) who at the time of harvest is entitled to the whole of or a share in any of the crops grown, or its proceeds, or livestock produced on the farm under a lease or operating agreement or as owner-operator, or (2) who is owner or operator of the farm and participates thereon in 1942 in carrying out approved soil-building practices.

(b) **Time and manner of filing application and information required.**—Payment will be made only upon application submitted through the respective State offices on or before March 31, 1943, except that the timely filing of an application by one person on a farm shall constitute a timely filing on behalf of all persons on that farm. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any farm which he is operating or renting to another person for a share of the crops grown thereon or for cash or standing rent. Any application for payment may be rejected if any form or information required is not submitted to the State office within the time fixed by the Regional Director. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, any time limit fixed to be such as affords a full and fair opportunity to those eligible to file the form or information within the period prescribed. Notice shall be given by mailing it to the office of each county agricultural extension agent and making copies of it available to the press.

(c) **Application for other farms.**—If a person has the right to receive all or a portion of the crops, or proceeds therefrom, produced on more than one farm in Alaska, Hawaii, or Puerto Rico (considering only farms located in one of these areas) and makes application for payment with respect to one of these farms, he must make application for payment with respect to all these farms which he operates or rents to other persons and on which rice is planted in 1942 or tobacco is planted in the 1942-43 tobacco season and a deduction is computed.

(d) All calculations involving land area in Puerto Rico will be made on the basis that one cuerda equals 0.97 acre.



**Section 10.—APPEALS**

Any person may, within fifteen days after notice thereof is forwarded to or made available to him, request the State office in writing to reconsider its recommendation or determination with respect to any of the following matters affecting any farm in which he has an interest: (a) eligibility to file an application for payment; (b) acreage allotment or normal yield of rice or tobacco; measurement; or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The State office shall notify him of its decision in writing within fifteen days after receipt of a written request for reconsideration. If he is dissatisfied with the decision of the State office, he may within fifteen days after the decision is forwarded to or made available to him, request the Regional Director to review the decision of the State office.

**Section 11.—DEFINITIONS**

For the purposes of the 1942 program, unless the context otherwise requires:

**Secretary** means the Secretary of Agriculture of the United States.

**Regional Director** means the director of the division of the Agricultural Adjustment Agency in charge of the agricultural conservation programs in the Insular Region.

**Insular Region** means the area included in the Territory of Alaska, the Territory of Hawaii, and Puerto Rico.

**State office** means the office of the Agricultural Adjustment Agency in Fairbanks, Territory of Alaska, Honolulu, Territory of Hawaii, and San Juan, Puerto Rico, depending upon the area concerned.

**Person** means an individual, partnership, association, corporation, trust, or estate, and, wherever applicable, a State, Territory, or possession, or a political subdivision or agency thereof.

**Landlord or owner** means a person who owns land and either rents it to another person or operates it himself.

**Operator** means a person who controls land through lease or other arrangement and operates it on and for his own account.

**Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or the proceeds thereof.

**Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

**Farm** means all tracts of cropland, pasture land, and other farm land in Alaska, Hawaii or Puerto Rico (considering tracts located in only one of these areas) operated by one or more person in 1942 as a single farming unit, with cropping practices, work stock, farm machinery, management, and labor substantially separate from that for any other such unit, and including any other land which serves as a watershed for the supply of water for the farm and on which any applicable soil-building practice is performed.

**Cropland** means farm land which is tilled annually or in a regular rotation or is devoted to bearing or nonbearing orchards other than abandoned orchards.

**Orchards** means the acreage in planted fruit trees, nut trees, coffee trees, banana plants, or vineyards.

**Pasture land** means farm land on which the predominant growth is forage suitable for grazing and on which the number and spacing of any trees or shrubs is such that the land could not fairly be considered as woodland.

**Range land** means any land which produces or can produce forage suitable for grazing by range livestock without cultivation or general irrigation.

**Tobacco season** means the period beginning on September 1 of one calendar year and ending on March 31 of the succeeding calendar year.

**Protective nondepleting cover crops** means any of the following: all grasses, field peas, cow peas, pigeon peas, soy beans, velvet beans, sword beans, crotalari, alfalfa, vetch, clover, lespedeza, lupines, koa haole (*Lucaena glauca*).

#### Section 12.—AUTHORITY, AVAILABILITY OF FUNDS AND APPLICABILITY

(a) **Authority.**—This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148, 16 U. S. C. 1940 ed. 590g to 590q), as amended. In connection with the effectuation of the purposes of section 7 (a) of said Act for 1942, the payments provided for herein will be made for participation in the 1942 program.

(b) **Availability of funds.**—The provisions of the 1942 program are necessarily subject to all legislation affecting the program as the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon whatever appropriation the Congress may hereafter provide for the purpose; and the amounts of payments will necessarily be within the limits finally determined by the appropriation, its apportionment under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and the extent of national participation. As an adjustment for participation, the rates of payment and deduction with respect to any commodity or item of payment may be increased or decreased from the rates set forth herein by as much as 10 percent.

(c) **Applicability.**—The provisions of the 1942 program contained herein, except where the context otherwise indicates, are applicable only to the Territories of Alaska and Hawaii and to Puerto Rico. They do not apply to any department or bureau of the United States Government or any corporation wholly owned by the United States, or to lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership.

The program is applicable to land owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is



farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the Agricultural Adjustment Agency finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

Done at Washington, D. C., this 17th day of June 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,  
*Secretary of Agriculture.*

**"FOOD WILL WIN THE WAR AND WRITE THE PEACE"**

*Claude B. Wickard*